

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

DEPAUW UNIVERSITY,)	
)	
Plaintiff,)	
)	
v.)	CAUSE NO.: 2:05-cv-0249-RLY-WGH
)	
HENNESSEE GROUP, LLC,)	
CHARLES GRADANTE and)	
E. LEE HENNESSEE,)	
)	
Defendants.)	

MOTION TO WITHDRAW DUPLICATE FILING

Defendants Hennessee Group, LLC, Charles Gradante and E. Lee Hennessee (collectively “Defendants”), by their counsel, move for entry of an Order, withdrawing Docket Entry 18, an inadvertent duplicate filing. On January 6, 2006, counsel for Defendants electronically filed a motion to dismiss and brief in support of that motion. In the course of the filing, the brief was inadvertently filed in place of the motion at Docket Entry 18. The motion was correctly filed at Docket Entry 19 and the brief was re-submitted with the correct identifying information at Docket Entry 20. Thus, Docket Entry 18 is a mistaken duplicate filing and Defendants request that it be withdrawn. Court administrators have advised Defendants’ counsel that this motion to withdraw is the proper way to correct this electronic filing error.

WHEREFORE Defendants pray for entry of an Order withdrawing Docket Entry 18.

Respectfully submitted,

s/ Anne L. Cowgur

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CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of January, 2006, a copy of the foregoing “Motion To Withdraw Duplicate Filing” was filed electronically. Notice of this filing will be sent to the following persons by operation of the Court’s electronic filing system. Parties may access this filing through the Court’s system.

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s/ Anne L. Cowgur

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